

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 18, 2024

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARY ANN BLIESNER,

Defendant.

No. 1:22-CR-02097-SAB-1

**ORDER ACCEPTING PLEA AND
SETTING SENTENCING SCHEDULE**

On December 17, 2024, Defendant appeared before the Court out of custody in Yakima, Washington and entered a plea of guilty to: (i) Introducing Adulterated Food into Interstate Commerce in violation of 21 U.S.C. §§ 331(a), 333(a)(1), and 342(a)(1), (a)(3), (a)(4), (b)(3) and (b)(4), a lesser included offense of Count 2 of the Indictment filed on September 13, 2022; and (ii) Failure to Register a Food Facility in violation of 21 U.S.C. §§ 331(dd), 333(a)(1) and 350d, a lesser included offense of Count 4 of the Indictment filed on September 13, 2022. Defendant was represented by Carl Oreskovich and Andrew Wagley. The United States was represented by Assistant United States Attorney Devin Carda.

The Court finds that Defendant is fully competent and aware of the nature of the charges and consequences of the plea, that the plea of guilty is knowing and voluntary, is not induced by fear, coercion, or ignorance, and is supported by an independent basis in fact establishing each of the essential elements of the crime. Therefore, Defendant's plea of guilty is accepted.

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1 Accordingly, **IT IS ORDERED:**

2 1. All pending pretrial motions, if any, are **DENIED AS MOOT.**

3 2. All previously set court dates, including the trial date, are **STRICKEN.**

4 3. Sentencing shall be held on **March 26, 2025**, at **1:30 p.m.** in **Yakima,**
5 Washington. Pending sentencing Defendant shall remain released pursuant to pretrial
6 release conditions previously imposed. A motion to continue must be filed at least **10 days**
7 prior to the scheduled sentencing hearing.

8 4. The United States Probation Officer shall prepare a timely presentence
9 investigation report (“PSIR”) which will comply with the following schedule:

10 (a) Not less than **35 days prior to the date set for sentencing**, the Probation
11 Officer shall disclose the PSIR to counsel for Defendant and the United States. Within **14**
12 **days thereafter**, counsel shall communicate in writing to the probation office any
13 objections they may have as to any factual errors or omissions; sentencing classifications;
14 sentencing guideline ranges; and policy statements contained in or omitted from the report.
15 Such communication may be oral initially but shall immediately be confirmed in writing to
16 the Probation Officer and opposing counsel.

17 Objections shall be numbered and identify the paragraph(s) to which the
18 objection applies. Objections shall address the PSIR in sequential order, beginning with
19 the lowest numbered paragraph.

20 (b) After receiving counsel’s objections, the Probation Officer shall conduct
21 any further investigation and make any revisions to the PSIR that may be necessary. The
22 Probation Officer may require counsel for both parties to meet with the officer to discuss
23 unresolved factual and legal issues and counsel shall make themselves available for that
24 purpose.

25 (c) At least **10 days prior to the date of the sentencing hearing**, the
26 Probation Officer shall submit the PSIR to the sentencing judge. The PSIR shall be
27 accompanied by an addendum setting forth any objections counsel may have made,
28 including those that have not been resolved, together with the officer’s comments and

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1 recommendations thereon. The Probation Officer shall certify that the contents of the
2 report, other than sentencing recommendations, including any revisions or addenda, have
3 been disclosed to counsel for the Defendant and the United States, and that the addendum
4 fairly states any remaining objections.

5 (d) Except with regard to any written objection made under sub-division (a),
6 the PSIR and computations shall be accepted by the Court as accurate. Upon a timely
7 objection by the Defendant, the United States bears the burden of proof on any fact that is
8 necessary to establish the base offense level. The Court, however, for good cause shown,
9 may allow a new objection to be raised at any time before the imposition of sentence. In
10 resolving disputed issues of fact, the Court may consider any reliable information
11 presented by the Probation Officer, the Defendant, or the United States.

12 (e) Nothing in this Order requires the disclosure of any portions of the PSIR
13 that are not disclosable under Rule 32 of the Federal Rules of Criminal Procedure.

14 (f) The PSIR shall be deemed to have been disclosed: (1) when a copy of the
15 report is physically delivered; or (2) one day after the report's availability for inspection is
16 orally communicated; or (3) three days after a copy of the report or notice of its
17 availability is mailed to counsel, whichever date is earlier.

18 5. All written materials in support of sentencing recommendations **shall be filed**
19 **at least 15 days prior to the sentencing hearing.** The opposing party shall file and serve
20 a response, if any, **within 7 days** of receipt of the motion.

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1 6. By and through this Order, the District Court Executive is authorized to accept
2 Defendant's payment in the amount of \$25 per count, for a total of \$50, toward Special
3 Penalty Assessments.

4 The District Court Executive is directed to file this Order and provide copies to
5 counsel **AND TO** the United States Probation Office.

6 **DATED** this 18th day of December 2024.



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12 Stanley A. Bastian
13 Chief United States District Judge
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